

Cherokee County
RAD 98041862

Rural Water Dist. No. 8
Cherokee Co., KS
Tract No. 273M

ORIGINAL COMPARED WITH RECORD

172
Out #1
10-3-89
0737

WATER METER EASEMENT DEED

THIS INDENTURE, Made on this 3rd day of October, A. D., 1989, by and between Larry E. Fields and Deborah K. Fields, husband and wife, of the County of Cherokee, State of Kansas, herein after referred to as "Grantors", and the Rural Water District No. 8, Cherokee County, Kansas, Post Office Box 222, Riverton, KS 66770, hereinafter referred to as "Grantee".

WITNESSETH, That the Grantors, in consideration of the benefits which will accrue to their other property by reason of the construction of the water meter hereinafter mentioned, the sufficiency of which is hereby acknowledged, do by these presents, GRANT, BARGAIN, SELL, TRANSFER AND CONVEY unto the Grantee, or its assigns, a perpetual and assignable water meter easement and right-of-way in, upon, over, under, and across the land described below, to locate, relocate, construct, reconstruct, operate, maintain, repair, patrol and remove a water meter and all appurtenances thereto, together with the right to trim, cut, fell and remove therefrom all trees, brush, underbrush, obstructions, and any other vegetation, structures, or obstacles within the limits of the right-of-way; reserving, however, to the Grantors, their heirs, executors, administrators, successors and assigns all rights, title, interest and privileges as may be exercised and enjoyed without interference with or abridgment of the use of the easement and rights hereby granted; said land being described as follows:

A tract of land 10 feet by 10 feet abutting the existing road right-of-way, lying within the east 5 acres of the NW¼NE¼ of Section 21, Township 34 South, Range 25 East of the Sixth Principal Meridian, Cherokee County, Kansas, containing 0.01 of an acre, more or less.

Together with the right of ingress and egress over the Grantors' adjacent lands for the purposes for which the above-mentioned rights are granted.

The location of the water meter, as installed, shall be adjacent to the center point of the ten foot easement line abutting the existing road right-of way.

The above easement is subject, however, to existing easements for public roads, streets, and highways, for public utilities, and for railroads and pipelines.

The consideration recited herein shall constitute full fair value and full compensation to the Grantors for the easement and rights granted herein, whether such easement and rights shall be exercised by the Grantee or by any of its assigns. The Grantors expressly release and relinquish any and all claims against any



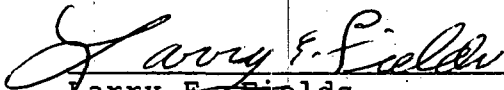
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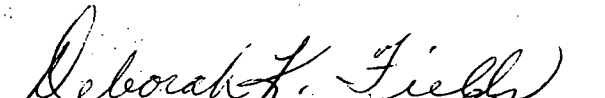
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of the aforementioned for further or future payment of consideration for the aforesaid easement and rights granted herein.

TO HAVE AND TO HOLD the easement and rights, with all and singular the rights, privileges, appurtenances, and immunities thereto belonging or in anywise appertaining unto the Grantee and unto its assigns forever; the Grantors hereby covenanting that they are lawfully seized of an indefeasible Estate in Fee Simple in the premises in which the easement herein conveyed; that they have a good right to convey the same; that the premises are free and clear of any encumbrance done or suffered by them or those under whom they claim, and of all taxes, liens, leases, easements, claims, and assessments, and that they will pay all taxes and assessments on the above described property promptly when due, and will WARRANT AND DEFEND the title to the easement unto the Grantee and unto its assigns FOREVER against the lawful claims and demands of all persons whomsoever.

IN WITNESS WHEREOF, the Grantors have executed this instrument the day and year above written.


Larry E. Fields

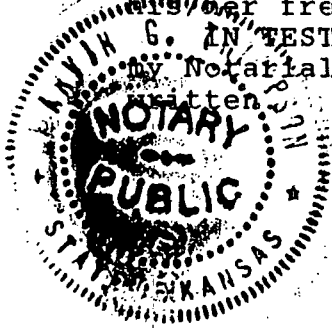

Deborah K. Fields,

Rural Water Dist. No. 8
Cherokee Co., KS
Tract No. 273M

STATE OF: Kansas)
COUNTY OF: Cherokee) SS.

On this 3rd day of October, A.D., 1989, before me, a Notary Public, personally appeared Larry E. Fields, to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he/she executed the same as his/her free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Notarial Seal, the day and year in this certificate above written.

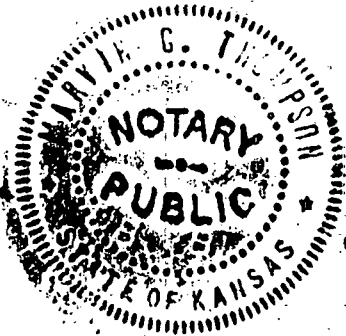


Marvin G. Thompson
NOTARY PUBLIC MARVIN G. THOMPSON
MY COMMISSION EXPIRES 8/30/93

STATE OF: Kansas)
COUNTY OF: Cherokee) SS.

On this 3rd day of October, A.D., 1989, before me, a Notary Public, personally appeared Deborah K. Fields,, to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he/she executed the same as his/her free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Notarial Seal, the day and year in this certificate above written.



Marvin G. Thompson
NOTARY PUBLIC MARVIN G. THOMPSON
MY COMMISSION EXPIRES 8/30/93

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LIENOR'S CONSENT TO EASEMENT

The undersigned is the holder and owner of the mortgage(s) recorded in Book 188 of Mortgages, on pages 75-76; Book 191 of Mortgages, on pages 349-350, Register of Deeds Office, Cherokee County, Kansas, covering the property described in the above water meter easement. The undersigned hereby consents to the granting of the above water meter easement to the Rural Water District No. 8, Cherokee County, Kansas.



THE AMERICAN NATIONAL BANK

By:

Cassie L. Mann
Cassie L. Mann, Vice-President

SECRETARY

CORPORATION ACKNOWLEDGEMENT

STATE OF Kansas

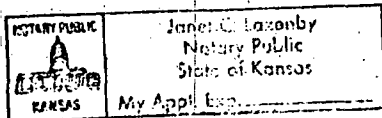
SS:

COUNTY OF Cherokee

BE IT REMEMBERED, that on this 11th day of January, 1990, before me, the undersigned, a Notary Public in and for the county and state aforesaid, came Cassie L. Mann, Vice-President

of American National Bank, a corporation duly organized, incorporated and existing under and by virtue of the laws of the state of Kansas and Joyce R. Cure, Secretary of said corporation, who are personally known to me to be such officers, and who are personally known to be the same persons who executed as such officers, the above Lienor's Consent to Easement on behalf of said corporation, and such persons duly acknowledged the execution of the same to be the free act and deed of said corporation.

IN TESTIMONY WHEREOF, I hereunto set my hand and affixed my Notarial seal, the day and year last above written.



Janet Lazenby

Notary Public

My commission expires: 5/20/91